

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

SONIA RUSSELL,

Plaintiff,

vs.

POSTMASTER GENERAL LOUIS  
DEJOY, Postmaster General;

Defendant.

**8:20CV533**

**ORDER**

On December 14, 2022, Plaintiff and defense counsel emailed chambers regarding an existing discovery dispute. (See Attachment 1, emails, page 3). Plaintiff requested a conference to resolve the dispute and sought permission to submit a letter outlining the dispute. Shortly thereafter, Ms. Russell sent an email to chambers and defense counsel discussing outstanding discovery requests, problems in communicating with defense counsel, and issues she asserts were unresolved with the court. (Attachment 1, emails, page 5). The discovery issues may or may not be the same as would be raised by defense counsel. The court will set a deadline for filing motions to compel or motions for a protective order.

Ms. Russell's email stated that she filed an opposition to Defendant's motion to extend deadlines, but she has not yet received an answer. Her response to Defendant's motion to extend, ([Filing No. 40](#)), was filed on November 16, 2022. ([Filing No. 43](#)). The motion to extend was addressed during the telephone conference on November 18, 2022 ([Filing No. 47](#), audio file), and the deadlines were filed of record in the amended progression order filed on November 19, 2022. ([Filing No. 44](#)). A copy of [Filing No. 44](#) was mailed to Ms. Russell at her address of record. (Attachment 2, Notice of Electronic Filing). A copy of [Filing No. 44](#) and

a copy of the audio file were also emailed to Ms. Russell at her request. (Attachment 1, emails, pages 1-2).

Ms. Russell further advised that she is waiting for an email from my law clerk regarding an email address for sending the certificate of service. Ms. Russell has been advised by email from chambers to file any certificate of service on the docket pursuant to the local rules. (Attachment 1, emails, pages 1-2).

Ms. Russell has called chambers to discuss filings and concerns about case progression and opposing counsel's handling of this case. My chambers cannot discuss these matters without the participation of all parties.

In light of the obvious conflicts between Plaintiff and defense counsel,

IT IS ORDERED:

- 1) The parties need not meet and confer prior to filing discovery motions. Going forward, other than at depositions, any communications between the Plaintiff and counsel for the government should be in writing by email.
- 2) The requirement to set a conference call with the undersigned prior to filing a motion to compel is also suspended. (See [Filing No. 34 at CM/ECF p. 1, ¶ 4](#)).
- 3) Motions to compel or motions for a disputed protective order must be filed on or before December 22, 2022. Response and Reply briefs shall be filed in accordance with the Local Rules.<sup>1</sup>

---

<sup>1</sup> The court recognizes that motion practice regarding discovery disputes may impact the scheduled depositions. However, the parties were advised during the November 18, 2022

- 4) Any communication with chambers must be sent by email to [zwart@ned.uscourts.gov](mailto:zwart@ned.uscourts.gov), with the opposing party as a carbon-copy recipient. If the government's counsel is not copied on the email, the court will not read its content.
- 5) The clerk shall mail a copy of this order to plaintiff, and also email a copy to her at [sonia.russell@yahoo.com](mailto:sonia.russell@yahoo.com).

Dated this 15th day of December, 2022.

BY THE COURT:

s/ Cheryl R. Zwart  
United States Magistrate Judge

---

telephone conference that if a discovery dispute arises over the production of documents, depositions may have to be continued. ([Filing No. 47](#), audio file).